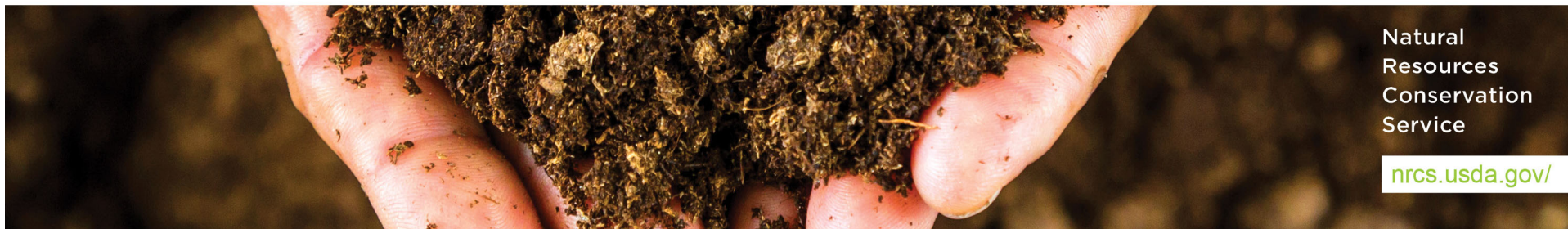
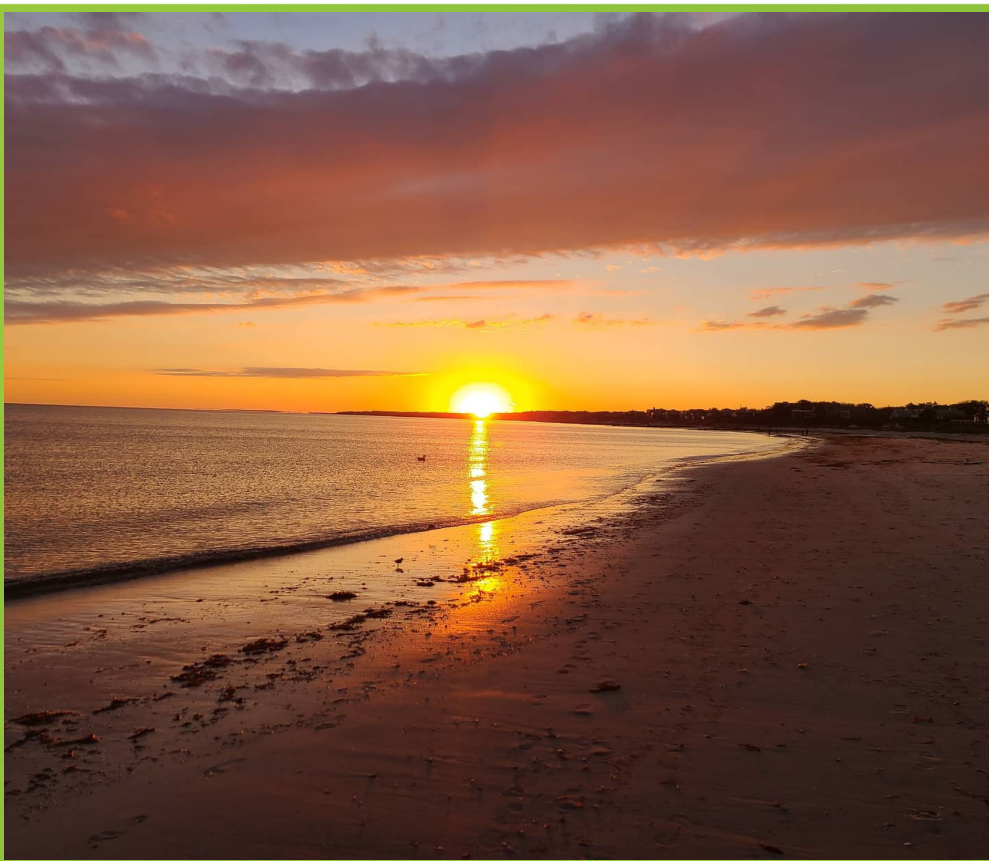




# Emergency Watershed Protection Program

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# NRCS-Natural Resources Conservation Service

## HELPING PEOPLE HELP THE LAND

- NRCS and its predecessor agencies have worked in close partnerships with farmers and ranchers, local and state governments, and other federal agencies to maintain healthy and productive working landscapes.
- NRCS succeeds through its **partnerships**, working closely with landowners, local conservation districts, government agencies, Tribes, Earth Team volunteers and many other people and groups that care about the quality of America's natural resources.
- Participation is voluntary



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# Emergency Watershed Protection Program

## Overview

Congress established the Emergency Watershed Protection (EWP) Program to respond to emergencies created by natural disasters.

The EWP Program offers technical and financial assistance to help local communities mitigate imminent hazards to life and property caused by floods, fires, windstorms, and other natural occurrences that impair a watershed

The EWP Program, which consists of two options –

EWP – Recovery and

EWP – Floodplain Easement (FPE).



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# Emergency Watershed Protection Program

## EWP – Recovery

The EWP Program is a recovery effort program aimed at relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural occurrences.

Public and private landowners are eligible for assistance, but they must be represented by a project sponsor.



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## EWPP - Recovery



## Tropical Storm Irene - Before



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# EWPP - Recovery



## Tropical Storm Irene - After



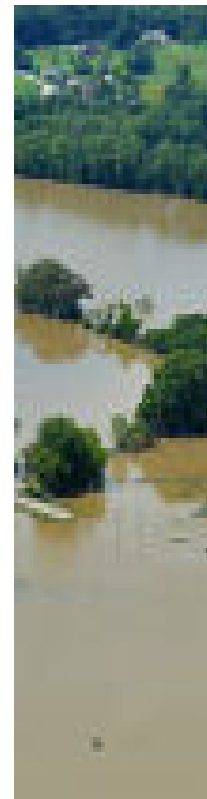
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# EWP Program-Floodplain Easement Option



- Through FPE, NRCS may purchase floodplain easements – voluntarily offered by landowners – as an alternative measure to traditional EWP-Recovery where sites meet FPE eligibility criteria, and it is determined that acquiring an easement is the more economical and prudent approach to reducing a threat to life or property. This process is identified as “In Lieu of Recovery.”
  - Enrollment process begins with landowner voluntarily submitting application
- Alternatively, a disaster appropriations may carry language that authorizes NRCS to purchase floodplain easements. This process is generally identified as “Legislatively Prescribed.”
  - Enrollment process begins with NRCS State Office announcement of FPE sign-up



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# Types of EWPP-FPE Projects



## 1) Agricultural Lands and Other Lands Without Residences or Other Structures



## 2) Residential Properties With Structures Present



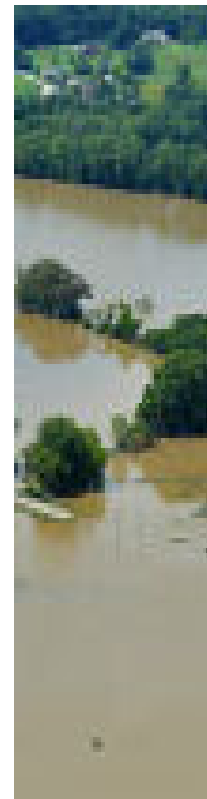


## Eligibility For FPE



**NRCS may determine land is eligible for FPE if any of the following apply:**

- 1) The floodplain lands were damaged by flooding at least once within the previous calendar year or have been subject to flood damage at least twice within the previous 10 years.
- 2) Other lands within the floodplain are eligible, provided the lands would contribute to the restoration of the flood storage and flow, provide for control of erosion, or that would improve the practical management of the floodplain easement.
- 3) Lands would be inundated or adversely impacted as a result of a dam breach.



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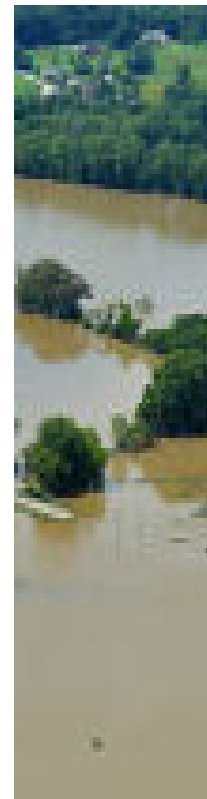


## EWPP-FPE Project Details



### Non-Agricultural Lands With Residences or Other Structures

- EWPP-FPEs on non-agricultural lands with residences or other structures must be part of a broader strategy that will result in the restoration of an entire floodplain reach.
- In situations where an impacted floodplain reach contains multiple structures – such as a subdivision, **ALL** landowners must apply for and be enrolled in EWPP-FPE to allow for removal of all structures and complete restoration of the floodplain reach.



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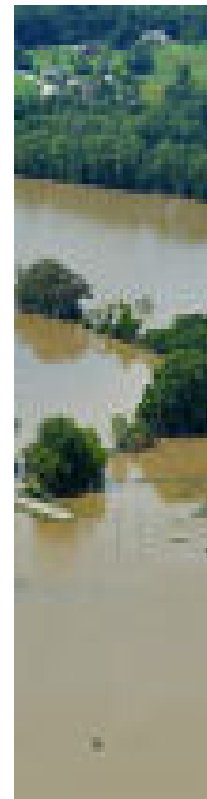
## EWPP-FPE Project Details



### Non-Agricultural Lands With Residences or Other Structures

EWP-FPE easements are restored to the extent practicable to the natural environment and may include both structural and nonstructural practices to restore the flood storage and flow, erosion control, and improve the practical management of the easement.

Structures, including buildings, within the floodplain easement must be demolished and removed, or relocated outside the 100-year floodplain or dam breach inundation area.



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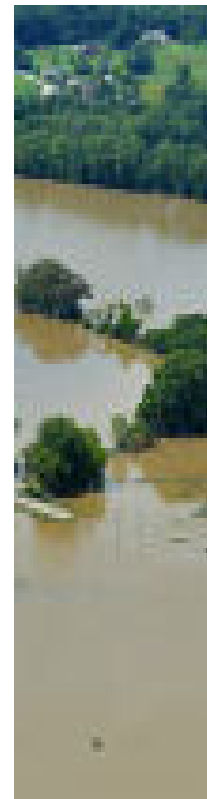




# Lands Ineligible For EWPP-FPE

**NRCS may determine land is ineligible for FPE if any of the following apply:**

- 1) Implementation of restoration practices would be futile due to onsite or offsite conditions, including where adjacent landowners' activities would negatively impact or negate NRCS restoration activities.
- 2) The land is subject to an existing easement or deed restriction that provides sufficient protection or restoration, as determined by the Chief of NRCS, of the floodplain's functions and values.
- 3) The purchase of an easement would not meet the purposes of the program.
- 4) Hazardous materials concerns located on the proposed easement or on adjacent lands that could impact easement area.



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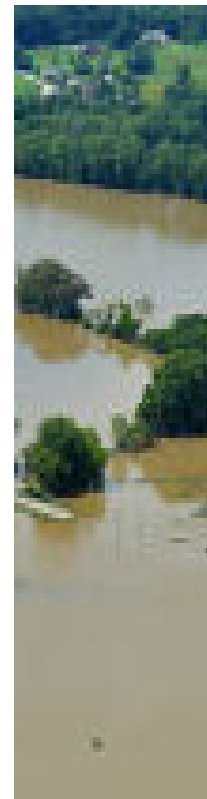




## Landowners Eligible for EWPP-FPE

**To be eligible, landowners must be willing and able to—**

- 1) Comply with the terms of the easement.
- 2) Comply with all terms and conditions of any associated agreement.
- 3) Convey title to the easement that is acceptable to NRCS and warrant that the easement is superior to the rights of all others.



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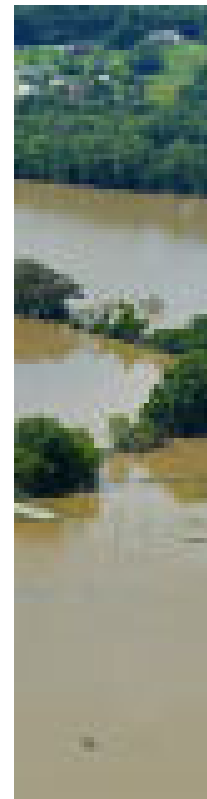


## EWPP-FPE Project Details



### Non-Agricultural Lands With Residences or Other Structures (Cont.)

- NRCS partners with Project Sponsor
- Depending on agreement terms, the Project Sponsor may assist with items such as: outreach, collection of application packages, etc.
- The Project Sponsor is required to purchase from the landowners the remaining fee title value of their land upon closing of the FPE.
- USA holds the easement and the Sponsor becomes the landowner.
- The Sponsor's fee title purchase allows NRCS to work with a single entity that will be the landowner of the land on which the EWPP-FPE is acquired.



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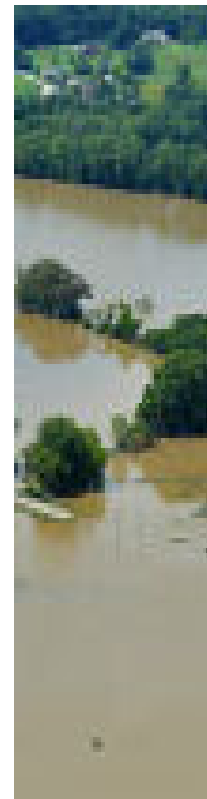




## EWPP-FPE Project Sponsor Eligibility

### An eligible project sponsor is:

- Any legal subdivision of a State government or a State agency, including the following:
  - Cities, Counties, Towns, Municipal authorities, Townships, Soil and Water Conservation Districts
- Other entities chartered under State law.
- Any Native American Tribe or Tribal organization as defined in section 4 of the Indian Self Determination and Education Assistance Act (25 U.S.C. Section 450b).



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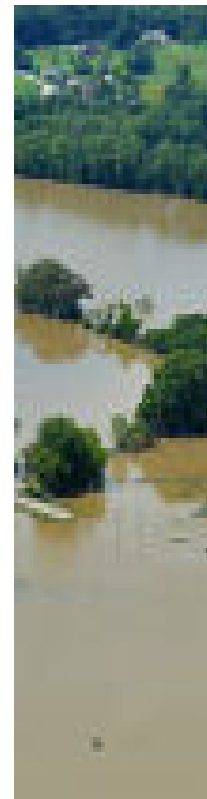
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## Requirements to Act as EWPP-FPE Project Sponsor

### A project sponsor must:

- Have a legal interest in, or responsibility for, the areas threatened by a watershed emergency.
- Have a local presence and staff available to assist in the implementation of the program.
- Be capable of obtaining necessary land rights and required permits.
- Be capable of performing all required operation and maintenance (O&M) responsibilities.
- Administer contracting when part of a local agreement.
  - Conduct public meetings and a public information campaign concerning availability of the program.
  - Identify all properties needed to ensure the restoration of the entire floodplain reach and identify strategy that will be implemented to secure all needed properties.



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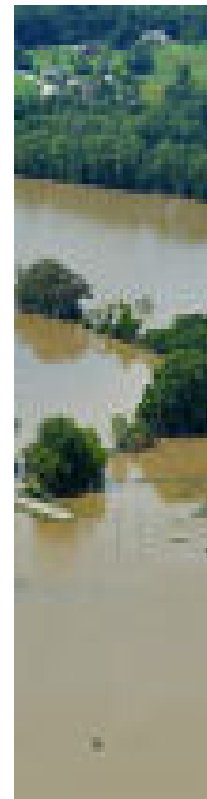


## Ranking of EWPP-FPE Applications

**The ranking process enables the prioritization of enrollment by determining projects of most merit.**

Every eligible FPE application accepted by NRCS must be ranked.  
Easement ranking criteria must emphasize—

- The alleviation of current and or future threats to health, life, or property caused by natural disasters.
- The environmental benefits of enrolling the land.
- Cost effectiveness of enrolling the land to maximize the environmental benefits per dollar expended.
- Whether the landowner or others are offering to contribute financially to the enrollment to leverage Federal funds.
- The extent to which the purpose of the program would be achieved on the land.



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## Contact Information



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